

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

JACK HERBERT THOMAS,

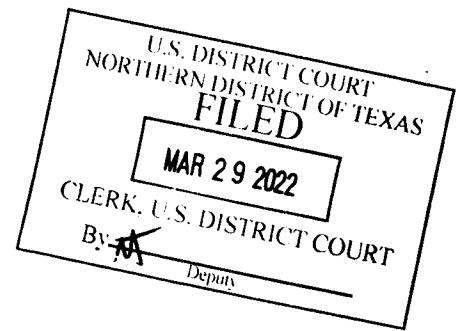
Petitioner,

v.

DIRECTOR, TDCJ-CID

Respondent.

2:20-CV-216-Z-BR



ORDER

On February 28, 2022, the United State Magistrate Judge entered a Findings, Conclusions, and Recommendation (“FCR”) recommending the Court deny Petitioner Jack Herbert Thomas’s (“Petitioner”) Petition for Writ of Habeas (ECF No. 30). No objections to the FCR have been filed. After making an independent review of the pleadings, files, and records in this case, the Court **ADOPTS** the FCR and **DENIES** the Petition for Writ of Habeas Corpus (ECF No. 3).

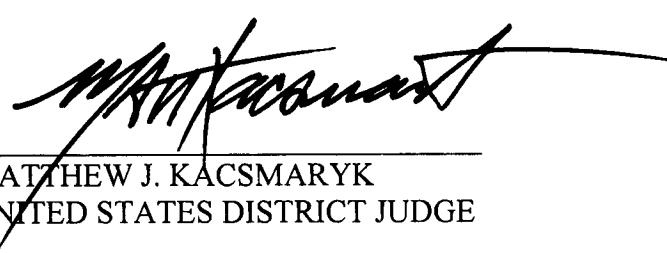
Considering the record in this case and pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts, and 28 U.S.C. § 2253(c), the Court **DENIES** a certificate of appealability because Petitioner has failed to make “a substantial showing of the denial of a constitutional right.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also Hernandez v. Thaler*, 630 F.3d 420, 424 (5th Cir. 2011).

The Court **ADOPTS** and **INCORPORATES** by reference the Magistrate Judge's FCR filed in support of her finding Petitioner has failed to show (1) reasonable jurists would find this Court's "assessment of the constitutional claims debatable or wrong," or (2) reasonable jurists would find "it debatable whether the petition states a valid claim of the denial of a constitutional

right" and "debatable whether [this Court] was correct in its procedural ruling." *Slack*, 529 U.S. at 484.

SO ORDERED.

March 29 2022


MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE